

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	CASE NO. 4:14CR3102
	)	
Plaintiff,	)	
	)	<b>MOTION FOR DOWNWARD</b>
v.	)	<b>DEPARTURE</b>
	)	
HOWARD BARTA,	)	
	)	
Defendant.	)	

COMES NOW the Defendant, Howard Barta, by and through his attorney, Assistant Federal Public Defender Michael F. Maloney, and pursuant to U.S.S.G. § 2B1.1, comment. (n. 20-C) moves the Court for a downward departure because the offense level determined under the guidelines substantially overstates the seriousness of the offense. The Defendant adopts the arguments in support of departure already set forth by the government in paragraphs 111-113 of the revised presentence investigation report.

HOWARD BARTA, Defendant,

By: s/ Michael F. Maloney  
**MICHAEL F. MALONEY**  
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**Certificate of Service**

I hereby certify that on March 25, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to counsel of record.

s/ Michael F. Maloney